

REMARKS/ARGUMENTS

Favorable reconsideration of the application in view of the following remarks, is respectfully requested.

Claims 1-4 and 7-9 are currently pending in the application. Claims 1, 4 and 7 are independent claims.

By way of summary, Claims 1, 4, 5 and 7 were rejected under 35 U.S.C. § 102(e) as being anticipated by Huttunen (U.S. 2003/0069881). Claims 2, 3, 8 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Huttunen in view of Harada et al. (U.S. 6,486,890; hereinafter Harada).

Each of independent Claims 1, 4 and 7 recite, in part, that “said positional data including data that describes the position of the subsequent block in terms relative to the position of the previous block.” The Official Action (page 5) relies on paragraph [0115] of Huttunen for this feature. In particular the Official Action refers to the language “... If a matching node is found, a link 352 to the previous fragment is added to the current fragment 222; otherwise, the root element has been reached, and a link 352 to the previous fragment will not be added to the current fragment 222 since there is no prior fragment”

In response, Applicant notes that paragraph [0115] of Huttunen does recite that if a matching node is found, a link 352 to the previous fragment is added to the current fragment 222. This description in Huttunen does describe the position of the previous fragment by adding a link to the previous fragment in the subsequent fragment. However, even though Huttunen does describe adding a link to the previous fragment into the current fragment, this description in Huttunen does not meet the language of the claim that requires describing the position of the subsequent block in terms relative to the position of the previous block. That is, even though the position of the previous block is provided in the subsequent block as a link, the adding of a link does not provide a position of the subsequent block in terms relative

to the position of the previous block. Accordingly, the newly cited reference to Huttunen fails to anticipate any of Applicant's Claims 1, 4 and 7.

In addition from Applicant's view of the reference Applicant finds no other portion of Huttunen that would teach the above-mentioned claim language. Accordingly Applicant believes that the rejection of Claims 1, 2, 4 and 7 under 35 U.S.C. § 102(e) as being anticipated by Huttunen is in error and should be withdrawn.

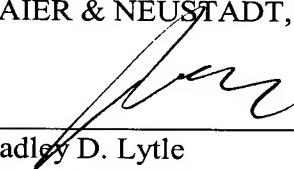
Turning to the rejection of Claims 2, 3, 8 and 9 under 35 U.S.C. § 103(a) as being unpatentable over Huttunen in view of Harada, there is nothing in the Official Action or from Applicant's review of Harada that would indicate that Harada would make up for the above-noted deficiency of Huttunen. Accordingly, Applicant believes that Claims 1-5 and 7-9 are now in condition for allowance. An early indication to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)



Bradley D. Lytle
Attorney of Record
Registration No. 40,073